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tary force and economic activity, but that the promotion of liberty and a system of tolerance constitute not only a moral duty but also a skillful policy.

Throughout the book in weighing debatable questions a fair and judicial attitude is generally maintained. A chronological chart showing the constitutional development of the principal autonomous colonies is inserted at the end of the volume; a more extensive bibliography, more detailed reference to the authorities in certain sections and a few maps would add greatly to its usefulness; nevertheless, as a concise, yet comprehensive treatise of the subject, the book occupies a special place in the literature devoted to the discussion of colonial politics and administration.

HENRY C. MORRIS.

American Consular Jurisdiction in the Orient. By FRANK E. HINCKLEY, Clerk of the United States Court for China. (Washington, D. C.: W. H. Londermilk and Company. 1906. Pp. 283.)

This is a work covering with its main text 196 pages, with its Appendix and Index 87 more, making 283 in all.

The work is very intelligently and thoroughly done and the appointment of Dr. Hinckley, on the organization of the United States court for China, as its clerk opens for him a place of much usefulness and seems a fitting recognition of his scholarly preparation.

The headings of the chapters suggest the scope of the treatise and are as follows: Historic Forms of Extra-territoriality; the United States' Oriental Treaties; Acts of Congress Establishing the System of Consular Courts; Legal Rights under the Jurisdiction, including Domicil, Marriage, Inheritance, Persons Accused of Crime; Missionaries. Real Property, Taxation, Commercial Privileges, International Tribunals of Egypt, Mixed Cases in China; the Foreign Municipality of Shanghai and Grounds for Relinquishing Jurisdiction.

With our greatly increasing intercourse with China and the establishment of a United States court for that vast territory rapidly opening to exploitation, this careful and it is believed accurate work must be of great value. It is curious to trace in its pages the change in our relations to the Asiatic countries which is illustrated by the fact (p. 35) that in 1831 a Japanese junk having been blown to sea and reached Oregon, the survivors found on board were taken back to

Japan on an American ship but the vessel was fired on when she entered Yedo bay and was not allowed to put the castaways on shore. Our first treaty with Japan was negotiated just fifty years ago on the seventeenth of June of this year, and it was the first of her treaties with western powers.

The variety and importance of the questions considered in Dr. Hinckley's work is a constant surprise even to a lawyer familiar with international law and the jurisdiction of our consular courts.

As to the "open door commercial policy," he says (p. 144) it "has a profound effect upon extra-territorial rights in China, in that it maintains a general uniformity of commercial rights of foreigners throughout the empire, whereas the adverse policy of demanding special commercial privileges would greatly increase the difficulties of administering justice in consular courts."

He shows a great defect in the reporting of the foreign consular decisions in Turkey which are often only accessible through notes in the *Journal du droit international privé* where references are made to Turkish publications. He points out that our consular jurisdiction is relinquished whenever the territory heretofore included comes into the absolute possession of a European power, as when Hong Kong was ceded to Great Britain, and Madagascar became a colony of France.

He observes (p. 196) that "notwithstanding the extensive commerce and large influence which the United States has come to enjoy in the orient, the system of American consular courts has remained practically without the attention of congress since 1848. In the interest of justice to American citizens in those countries where the jurisdiction is not likely to be relinquished for years to come, and with the object of maintaining a high standard in our international relations, it is apparently necessary for the government of the United States to provide an improved system of consular extra-territorial jurisdiction."

The Appendix makes a useful collection of extracts from treaties and statutes, orders and rules bearing on the subject considered. It is suggested that the indiscriminate praise accorded in the preface to our former representatives in the orient requires qualification. That service was deeply tainted by the appointment of politicians who had party claims but were too disreputable for home appointment. They exercised, in some cases with gross corruption and extreme oppression, the very great powers confided to them and did

this almost unchecked certainly as late as General Grant's administration. It is hoped and believed that the present situation is quite different.

We congratulate Dr. Hinckley on having on having written an admirable handbook upon an interesting, important and unhackneyed subject.

CHARLES NOBLE GREGORY.

The Aliens Act and the Right of Asylum. By N. W. SIBLEY and ALFRED ELIAS. (London: William Clowes and Sons. 1906. Pp. ix, 161.)

Mr. Sibley is a barrister at law of Lincolns Inn. He received his B.A. from London University and his LL.M. from Trin. H., Cambridge. He has already attracted most favorable attention by a more extended work published by him in 1905 jointly with Mr. F. E. Smith, later elected to the House of Commons from Liverpool, on *International Law as Interpreted During the Russo-Japanese War*. Mr. Elias is a barrister of Grays Inn. The present very admirable little work consists of the main text, eighty pages, also of several appendices.

Appendix I consists of tables, statutes, forms, rules and orders, covering forty-four pages.

Appendix II, of thirteen pages, deals with the right of asylum in the law of England.

Appendix III with statistics on alien immigration covers six pages, and a copious index of seventeen pages complete the book.

Part I of the text deals with international law on the admission of aliens, the *Droit du Renvoi*, and the right of asylum.

Part II with the comparative jurisprudence of these subjects.

Part III with the status of an alien at common law and by statute.

With the history of English legislation on the subjects treated and a discussion of the connection between aliens acts and extradition. It includes an analysis of the English aliens act of 1895 and a table of punishments and penalties.

The limited but thorough scope of the work is intimated by this table of contents.

All is clear, lucid, orderly and unpretentious.

The almost complete omission of all citation of texts or cases from this country is a defect for our readers, but is doubtless due to the